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University of San Diego School of Law Student Bar Association

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Justice Richard Ault To Instruct Seminar

Justice Richard B. Ault, of the Fourth District Court of Appeal, will teach an advanced seminar in Criminal Justice here next semester, it was recently announced by Dean Joseph Brock.

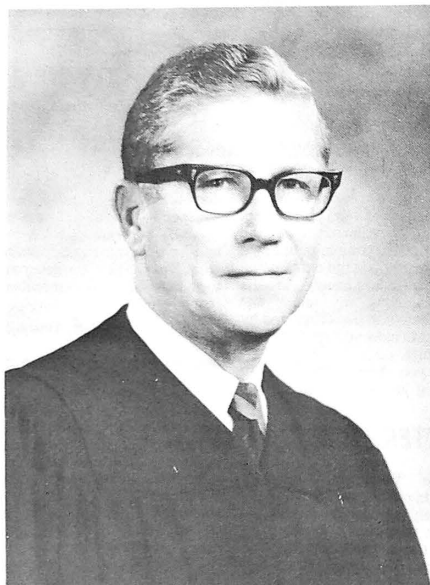
The seminar will be offered in the evening, and enrollment will be limited to third-year day and fourth-year evening students who have demonstrated, through previous courses and other activities, a strong interest in the study of criminal justice.

Justice Ault, a resident of San Diego for 46 years, received his B.A. from San Diego State and an M.A. in history from U.C. at Berkeley. He was a teacher in the San Diego City Schools for six years, and obtained his law degree by attending Balboa University Law School (now Cal Western) at night.

After nine years in private practice in San Diego, he was appointed to the Municipal Court bench in 1955. Two years later, he was appointed to the San Diego Superior Court, and later served as Presiding Judge.

Justice Ault was appointed to the Fourth District Court of Appeal in January, 1970. He is married and has four children, including a son, Thomas, who is an evening student here. Another son practices law in San Diego.

The size of the seminar will be limited to approximately 12 students. Because a large number of students may seek enrollment in the course, the law school plans to select students for the seminar prior to Spring Registration. Interested students are urged to watch the bulletin board for further details.



JUSTICE RICHARD B. AULT

Local PAD Chapter 3rd In National Competition

The local chapter of Phi Alpha Delta placed third in the Fraternity's National Outstanding Chapter Competition this year. USD's McCormick chapter was thus recognized out of the 114 Competitors vying for the award. The purpose of the competition is to determine which chapters have been most successful in approaching the Fraternity goals of service to the student, the law school and the profession.

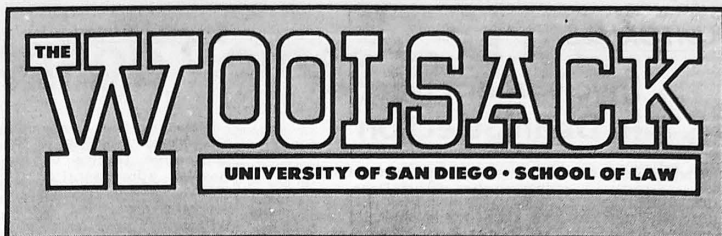
Major consideration for the award was given to the local chapter's professional programs (speakers, seminars and "Career Day"); Alumni, District and National Fraternity Relations; and law school service activities. Also considered were membership campaigns, future planning, finances, participation of Alumni and Faculty advisors and clerical efficiency.

In recognition of the honor, McCormick Chapter received \$100 to be awarded as a

scholarship to a student of its choice.

Current Justice Jim Veach expressed the philosophy that has carried PAD into national recognition. "It should be our continuing concern," Veach said, "that all of our professional and educational associations be upgraded in quality and image. It cannot be gainsaid that the quality of USD Law School and its image to the legal community affects the future of its students. A legal fraternity, as well as other student organizations, has the potential to aid in that upgrading in addition to otherwise benefitting the student body, chapter membership and the legal profession."

"PAD has been a vital element in the life of our law school. When a USD student organization merits and receives recognition, as has PAD's McCormick Chapter, it realizes its potential to better our school's quality and image."



VOL. 9

OCTOBER, 1971

NO. 2

Student Viewpoints Aired On Selection of New Dean

The search for a new Dean of the Law School got under way Oct. 4, when the Dean's Search Committee held an open meeting in More Hall.

Students, faculty members, alumni, and members of the San Diego legal community were extended an open invitation to come and express their views and preferences regarding the forthcoming selection

Although the turn-out for the meeting was small, the students who chose to attend presented some interesting ideas.

The following are some of the questions raised by the students: Should the next dean be young (around 40 years

old)? Should the dean be an active member of the San Diego community? Should the dean be a woman? Should retired military men and members of the clergy be precluded from consideration?

Should the dean be an administrator only, or should he also teach? A retired Judge? An expert fund raiser? Primarily a legal scholar? A practicing attorney? . . .

These are but some of the criteria the committee will consider before making its difficult choices.

The committee is accepting suggestions for potential candidates for the position.

The 12 members of the Dean's Search Committee are

General George Hickman, USD Law Professor Emeritus and chairman of the committee; Justice Gerald Brown of the Fourth District Court of Appeal; Assistant Dean Doris Alspaugh; Charles Froelich, president of the San Diego County Bar Association; Timothy Evatt, USD alumnus; Professors Richard Kelley, Darryl Bratton, Herbert Lazerow, John Winters, and Stanley Legro; and James Wilson and Ramona Godoy, president and vice-president of the USD Student Bar Association.

The committee has expressed its hope that it will be able to limit the number of candidates to five by the end of October. After this process of elimination, the five candidates will be voted on by the tenured faculty of the school, who will select three. The ultimate choice will rest with the Board of Trustees.

The goal of the Committee is the final selection of a new Dean by January, 1972. Students who wish to make suggestions are invited to contact any of the committee members.

Leon Brukman

ABA Announces Essay Contest

The American Bar Association has recently announced the eleventh annual Samuel Pool Weaver Constitutional Law Essay Contest.

Open to any student at an accredited law school, the contest offers a first place award of \$5,000, with honorable mention prizes totalling \$1500. Deadline for submission of entries is January 1, 1972.

Details may be obtained by writing the ABA at 1155 East 60th Street, Chicago, Illinois 60637

Objective Questions Set For Multistate Bar Exam

At press time, the future of the proposed multiple-choice bar exam in California is in considerable jeopardy. The State Senate Judiciary Committee took action last week which almost surely will prohibit the multiple-choice portion on the February Bar, with a similar bleak outlook for its chances on subsequent bar examinations.

One of the reasons cited was that the law does not lend itself to a yes-no, right-wrong approach. Opponents to the bill have cited that another answer might be considered correct, and that students who did not pass the exam should be able to look at the questions they missed.

The most current information available indicates that the neighboring states of Oregon and Nevada will still participate in the Multistate Exam.

The National Conference of Bar Examiners has clarified policy on the new Multistate Bar Examination, first scheduled to be given in 1972.

The most significant change involved in adaptation of the Multistate Exam is that one full day will be devoted to multiple choice questions. Each of the subscribing states then may, at its option, have one or more days of the more traditional essay questions.

The Multistate exam will consist of 200 questions, each having four alternative answers. Only one such answer will be correct, and no credit will be given for any other choice. The topics covered under the multiple choice questions will be contracts, criminal law, evidence, real property and torts. There will be forty "items" on each of these five subjects.

For security reasons, the test

must be administered on the same day in all states. For 1972, the dates will be February 23 and July 26. In succeeding years, the standard tests will be given on the last Wednesday in February and the last Wednesday in July.

At present, there are no plans for reciprocity between states giving the Multistate exam. This means that a student planning to take the bar in two subscribing jurisdictions would have to first take one, then the second exam at a later date. Thus in taking a different exam the student would have to take the multiple choice portion again also (although it will be changed upon each new exam date).

Questions on the Multistate exam will be answered according to "national" law, and students should not consider unique aspects of local law in making their choices.



PHIL KAZANJIAN (left), Ninth Circuit Governor of the Law Student Division of the American Bar Association, visited USD recently. Kazanjian and SBA President Jim Wilson (right) discussed matters of interest to ABA-LSD members. Kazanjian is a student at the Lincoln University Law School.

EDITORIALS

Involvement Needed In Dean Selection

Undisputedly, the most important issue currently facing the law school is the impending selection of a new Dean.

The Search Committee, consisting of students, faculty, and representatives of the local bench and bar, recently assembled in More Hall, where they listened to student comments and suggestions regarding the criteria that should be adopted in selecting the individual who will guide our law school for the next several years.

Some student comments were thoughtful, and worthy of serious consideration. A few were of little relevance. But all of them represented the honest, forthright opinions of the students of this school, and the members of the committee listened.

The only disappointing aspect of the meeting was the sparse student attendance. While USD law students are apathetic almost by definition, one would hope that an issue of such immediacy and direct impact would force at least a substantial number of them to emerge from their cocoons for an hour and a half.

For a welcome departure from normal procedure, perhaps those students who show the least interest in the selection procedure will not be the first ones to offer their criticisms after the selection is made.

Student Apathy Comes of Age

From my personal analysis, 1971 will mark the year that student apathy really came of age here at USD School of Law. I guess it's always been here to some degree, but it now seems to have taken the place over. One example is the apparent lack of student interest in the search for a new dean. A similar general lack of concern is evident in other areas, for example the doings of the curriculum committee. Witness also the comparative dearth of student attendance for those speakers who have appeared.

Those students who do wish to express their views on any topic of current interest have a ready-made vehicle available. The Woolsack can only be representative of student opinion if the students will take the initiative to voice their opinions. To my way of thinking, one letter from a concerned student is far more relevant than two pages of opinion from the Woolsack staff.

About two weeks before our deadline, we posted notices soliciting, among other things, letters to the Editor. We received none. In October and November last year we published two full pages of student opinion in each issue. I would like to continue to make the Woolsack a viable forum for your opinions, so — drop us a line!

Innovations Commended

Students who engage in occasional criticism of the law school curriculum and methodology often have meritorious complaints. But unfortunately, the school's response to legitimate criticism sometimes goes unheralded. The Woolsack takes this opportunity to recognize two recent innovations, and commend the individuals responsible for their institution.

First, there is the Clinical Program. Less than a year ago, it was only on the drawing board. Today, it involves 78 third-year day and fourth-year evening students, working in a number of public and private agencies and offices and receiving valuable experience that will help them bridge the gap between the theoretical nature of classroom study, and the practical aspects of the legal profession.

Professor Charles Lynch, through dedication and hard work, has laid the cornerstone in a program which promises to eventually involve every interested student in this important facet of legal education.

Secondly, the Woolsack applauds the San Diego Law Review for its enlightened candidate selection policy, now slightly more than a year old. In the past, the Review has followed the traditional method of choosing candidates strictly on the basis of first-year class standings. While this method provides a tidy reward for first-year scholarship, it operates somewhat inequitably for those students who possess writing and research ability but miss top honors during their first year.

But following the example of several top law reviews, the San Diego Law Review has established an annual writing competition open to any student, with top scorers invited to write for the Review. Additional staff members are recruited by the traditional means.

The elimination of artificial and sometimes arbitrary qualifications for law review status will serve to increase student interest in the publication, and is a small step toward eliminating the distinctions in student status that are all too often due to occasional inequities in the grading system.

Bernard Mouse

Anti-Toes Foes Face Fight on Feet

Students! Awaken to the oppressive tactics of the Bossist administration to shackle us with its mediocre bourgeois conformist values! Without any prior notice of a dress code, we were lured to this institution and restricted in our freedom of expression. Our most basic rights are being violated while the majority of our so-called fellow students remain silent and acquiescent.

The bosses tell us that there is a dress code, but I ask them where has it ever been posted, and who has ever seen it except them! The bosses tell us that the rule is that one must be "neat and clean" when attending school. Such an all encompassing general rule is being used to arbitrarily suppress the most basic of rights — The Right To Bare One's Feet!

Surely it is obvious, even if you are opposed to our stand, to see that the general rule has been created for the purposes of the bosses and can be used as they desire. Yet, even if we attempt to reason with our oppressors in the lawyer-like fashion they request, we are unable to find any acceptable basis for the rule.

They first tell us that bare feet do not conform (note the choice of words) with the rule, that is, bare feet are neither clean or neat. Well, I can only say that this is yet another sham reason which points out the fallacy in their argument. I ask you — what could be neater than feet? Of course, we are all aware that we have two, which come with five toes each. To me this is symmetry, it is harmonious arrangement, it is balance, it is neatness! But let us go beyond the obvious and spend time in an analysis of neatness of the conduct to which we have been forced to conform.

The bossist administration orders us to wear shoes or sandals (note that it would not have been possible for sandals to have been considered acceptable dress had those of us who now struggle for true freedom not broken the original taboo — we were victorious once, we shall be so again!). Where is the neatness in the motley array of scuffed, worn, dirty and certainly unharmonious foot apparel?

The second criteria of cleanliness is so absurd as to shoes versus bare feet, that we need spend little time refuting it. I ask you, what stinks worse than a sweaty foot that has had the stench increased to a nauseating level because it has been encased in leather? But no, the bosses argue, the stench is not apparent unless one takes off his shoe. This perhaps is for the most part true, but I can only point to the many feeble attempts of our establishment brothers who in the apparent anonymity of the classroom, fight their inhibitions and remove their shoes! This act and the resulting stench can hardly be termed "clean."

Because it is futile to attempt to use reason with the bosses we must organize an effective opposition which will force them to face reality. Already



BERNARD MOUSE — Advocate of Sole Power

many have planned for an uprising of such proportions that no mention of it can be made at this time in public. We have in fact a large clandestine organization already in the making and any one of our members can be recognized by the embroidered feet found on his shirt.

If you are interested in joining just walk up to anyone

displaying the symbol and whisper the secret code words, "tootsie wootsie" in his ear and he will immediately know what you want. So get your toes together and remember, feet are neat!

—R. Aborjaily

STAFF OPENINGS

Staff positions are still open for Woolsack. Students interested in writing news and feature stories on assigned topics are invited to contact the Woolsack by visiting the Woolsack office in the downstairs alcove, or by leaving a note, with phone number, in the Woolsack box in the mailroom. Students joining the staff before the next issue can be considered for positions on next year's Editorial Board.

LETTERS POLICY

The Woolsack actively solicits reader opinion, and will publish as many letters as space permits.

Letters to the Editor must be double-space typewritten, and submitted to the Woolsack no later than one week before publication. Exact deadlines are posted.



The WOOLSAK

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WOOL-SACK. The seat of the Lord Chancellor of England in the House of Lords, being a large square bag of wool, without back or arms, covered with a red cloth. — Black's Law Dictionary

Clinical Education Comes to U.S.D.

by Don Rubin

Two mornings a week, third-year day student Larry Steorts slips on a coat and tie and goes down to the Federal Courthouse on West F Street to interview his clients.

His clients are indigent criminal defendants who have been charged in Federal Court. It is Larry's job to gather background information to be used in bail hearings before Federal Magistrates Court, where it will be determined whether each defendant can be granted reduced bail or released on his own recognizance.

Later in the semester, Larry will actually go into court, and under the supervision of an attorney, will stand up and present his arguments for bail review. And if his misdemeanor clients plead innocent, he may be assigned to defend them.

To the casual observer, it may appear that Larry has landed an excellent part-time job. But actually, he is only doing his class assignments. The class is the Clinical Program, and Larry is one of scores of USD students working in a variety of public and private agencies this semester, and receiving course credit for their efforts.

Larry and two other Clinical Program students are satisfying course requirements by

selected students to work in other agencies. As noted, students are working for Federal Defenders. Also, seniors in the Clinical Program have been chosen to work in the offices of the City Attorney, County Counsel, State Attorney General, County District Attorney, City Schools Attorney, Legal Aid Society, and other agencies that are being added to a growing list of participants.

Additional students enrolled in the Clinical Program are working under individual volunteer attorneys in private practice, each of whom have agreed to supervise a student and give him meaningful legal experience. And a few positions in the program are filled by judge's clerks and students working in the Navy and Marine Corps JAG programs.

The Clinical Program offers a variety of opportunities, most of which were secured through the hard work of Professor Lynch, says third-year day student Jerry Condor, Lynch's administrative assistant. "He's an amazing guy, and a real asset to this law school," Condor says of Lynch. "He lined up all those positions with private attorneys and public agencies by making individual contacts and urging attorneys to take in a few students. The response to his efforts has been overwhelming."

said, "and the purpose of the whole program is to give the student practical experience in all aspects of providing legal service for his client."

Funding is also a bit of a problem, but increasing support from the school and the legal



Professor Charles Lynch

community is keeping the Clinical Program out of red ink. Most of the program funds go toward operating the three clinics, with the largest single item being malpractice insurance. Secretarial help, furnishings, leases, and filing fees for indigent clients boost expenses. The Program now has a basic operating fund of \$2500 from the SBA, with applications pending for additional grants from various sources.

The University administration has given its full support to the Clinical Program, and University President A.E. Hughes, Jr. has authorized the use of some University work-study funds to supply secretarial help for the Clinic.

Condor said that if enough money can eventually be raised, an attorney will be employed on a full-time basis to supervise certified students who make court appearances on behalf of clients from all three clinics. At present, this task is handled by a number of local attorneys working on a volunteer basis, but scheduling conflicts sometimes make the job difficult.

The continued success of clinical education at USD depends on student interest, says Condor, and he encourages underclassmen to acquaint themselves with the program's opportunities.

"We can use the assistance of first- and second-year students right now," he said, "in preparing pamphlets for circulation to people in the community." The pamphlets Condor wants to produce for general distribution include a manual on landlord-tenant law, an automobile sales manual, and a pamphlet explaining the Federal Truth-in-Lending law, all couched in layman's language. Students interested in assisting on the project are urged to contact Condor in the Clinical Program Office, located in More Hall in the downstairs alcove.



Gerry Conradi, student director of the Linda Vista Clinic, interviews a client from the community. In the background is part of the Clinic's law library, donated from various sources. The Clinic hopes to expand its library through additional donations.

working at Federal Defenders, the federally-funded agency that provides legal services for indigents charged with criminal offenses in Federal Court.

Like all the students in the Clinical Program, they are getting training that is not available in the classroom, experience that takes advantage of a new California law permitting advanced law students to be certified for courtroom work.

Under the guidance of Professor Charles Lynch, recently appointed Director of Clinical Education at USD, the law school's clinical Program has taken on new dimensions this semester.

Last year, a small contingent of students from USD's chapter of the Law Students Civil Rights Research Council first approached the law school administration with the idea of setting up a school-run legal services office in the Linda Vista community. Operated by students certified to practice under the supervision of volunteer attorneys, the Linda Vista Clinic would provide basic legal services at no charge to indigent residents of the community.

Aided by a \$1500 grant from the USD Student Bar Association and \$1000 from the Law Student Division of the American Bar Association, the Clinic got off the ground last semester, with about a dozen certified students receiving class credit for time spent with the clinic.

Through the tireless efforts of Professor Lynch, the Clinical Program this year has grown considerably both in size and scope. Under the program, students are working at the Crisis Center at 30th and Imperial in Southeast San Diego and in the Mexican-American Advisory Committee (MAAC) Center at 825 A Street in National City.

Students working in the Crisis and MAAC centers perform essentially the same tasks as students at the Linda Vista Clinic. They interview and screen clients who come to the office seeking legal advice, do the necessary investigation and research, and follow through on a solution to the client's problem. The solution may very well involve a court appearance, with the certified student arguing the client's case in court under the guidance of a supervising attorney present in the courtroom.

In addition, Prof. Lynch has arranged for

Lynch is a graduate of USD Law School, and a former Law Review Editor. Before accepting his full-time faculty position here, he was Chief Attorney for the San Diego Legal Aid Society. Besides serving as overall Director of Clinical Education, he teaches a course in Poverty Law, which focuses on some of the practical aspects of providing legal services for indigent clients.

At the present time, 78 third-year day and fourth-year evening students are enrolled in the Clinical Program for credit, but as the program grows and new positions are created, more students will be added, Condor said.

While individual attorneys and public agencies provide many of the program openings, the three clinics (Crisis Center, MAAC and Linda Vista) supply most of the Clinical Program positions. Gerald Conradi, student director of the Linda Vista Clinic, reports that 14 seniors, all of whom are certified to practice under the supervision of a volunteer attorney, are handling cases brought to the Clinic. Assisting them in research and preparation of cases are about 30 first- and second-year students who do not receive class credit for their efforts, but will be first in line to fill one of the certified-student positions in the program when they become seniors, and will be eligible for credit at that time.

The Clinic, at 6943 Linda Vista Road, is now open Tuesdays 7-10 p.m. and Thursdays 3-6 p.m. Conradi predicts that hours will be expanded as the amount of business increases.

Condor said he hopes that all three clinics will eventually be open five days a week. "The legal problems are there," he said, "but expansion will depend on our acceptance in the community."

"Our goal with the Clinical Program is to give some courtroom experience to all the students involved," Condor said, "and the Program is designed for participating students to appear in court, whenever possible."

But students must also be willing to take on the not-so-glamorous tasks. Conradi says that one of the few problems the Clinical Program has run into is the fact that some of the participants only want to play Aaron Silverman, and don't place much importance on the comparatively mundane task of developing a good file on the case.

"This part of legal practice (developing the file) is essential to winning a case," Conradi

Third-year student Larry Steorts interviews federal prisoner prior to bail review hearing. Larry works for Federal Defenders.

Meet New Student Bar Ass



Bernie Barrman
First Year Day
Section "A"

Bernie Barrman comes to USD from the world of academia. Before being admitted to law school, he was on the faculty at the Ohio State University and the University of Toronto. His primary field of interest is medieval studies, but he also has some experience and a great deal of interest in university administration.

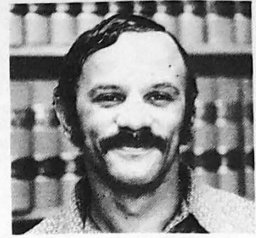
Bernie's qualifications include graduate work at Stanford, and Fulbright and Kent Fellowships. He is a member of several professional organizations, and has published in professional journals. He lives in University housing with his wife, Beatrice and two children, and enjoys swimming and tennis in addition to his academic obligations.

Joe Klatt
First Year Day
Section "B"



Joe Klatt is the second blind student to be currently enrolled at the law school. He was an honors graduate of United States International University, where he majored in speech and philosophy and minored in psychology. In his senior year, he represented the Department of Philosophy on the Curriculum Committee.

Joe is married, and states that music is one of his primary outside interests. A former drag racer, he won the Class L Stock Championship at the 1965 Winternationals.



Mel Smith
First Year Day
Section "C"

Mel Smith got his first introductions to the legal system on the South Side of Chicago, where he was brought up. He enlisted in the Marine Corps as a private, and during 15 years of service rose to the rank of Captain before his medical retirement in 1969. A major portion of the latter half of his military service was spent in the intelligence field, including service as an advisor and interpreter in Vietnam.

After his retirement, Mel came to USD, graduating as a history major in 1971. He is married and the father of three children, and his principle hobby is cooking.

Mike Lasater
Second Year Day
Section "A"

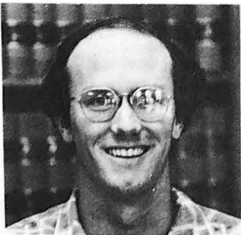


Mike Lasater is a native of San Francisco, and graduated from the University of San Francisco with a B.A. in political science. In addition to his duties as class representative, he is employed as a law clerk with the firm of Douglas, Pendleton and Applebaum. Mike is an active member of Phi Delta Phi, and was also a section rep last year. His principle outside interest is skin diving.

Mike Udkovich
Second Year Day
Section "B"



Mike Udkovich graduated from UCLA in 1969, with a major in psychology and a minor in mathematics. Before entering law school, he spent one year fulfilling his reserve obligation and working as an insurance agent.



Jac Crawford
Third Year Day

Joe Crawford graduated from the University of California at San Diego in 1969, with a major in philosophy and a minor in history. In law school, Jac has been active in LSCRRC, Delta Theta Phi and the Appellant. He has also participated in Moot Court.

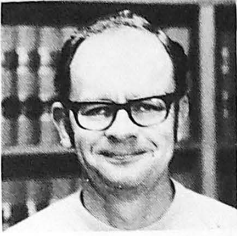
Among Jac's outside interests are sailing, touch football and camping.

Otis Jones
Third Year Day



Otis Jones was a 1969 graduate of San Diego State, majoring in public administration with a minor in social psychology. In addition to his SBA duties, Otis is treasurer of BALSA. He worked with the Legal Aid Society of San Diego this summer, and is presently employed there as a part-time clerk. He has also served as Legal Coordinator at the Crisis Center, and cites politics as one of his major outside interests.

sociation Representatives



Ed Ross
First Year Evening

Ed Ross is employed as a systems analyst with General Dynamics Corporation. He previously worked for NASA for seven years, following the Space Program from Project Mercury through the beginning of the Apollo Project.

Ed took his B.S. degree from Shippensburg State College in Pennsylvania, majoring in physics and math. He is married and has three children, and enjoys woodworking in his spare time.



John Howarth
Third Year Evening

John Howarth spent eight years as a Naval Officer after his graduation from Yale University in 1961. He is presently a Lieutenant Commander in the Naval Reserve, and a member of the Naval Reserve Law Company in San Diego.

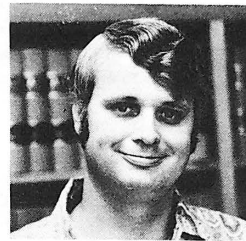
John is currently employed by Pacific Telephone in their claims and legal office, and is thus getting some practical experience in civil claims litigation and investigation.



Ed Arlege
Second Year Evening

Ed Arlege is an active duty Navy Lieutenant, and is presently Assistant Officer in Charge of the Commissary Complex in San Diego. He graduated from Southern Methodist University in Dallas, Texas, with a BBA in Banking and Finance in 1965.

Ed is married, and his primary hobby is restoring antique and vintage cars. He is currently restoring a 1935 Ford pickup.



Stan Lyon
Fourth Year Evening

Stan Lyon is employed as a Cost Analyst for the Rohr Corporation. He graduated from San Diego State in 1961, majoring in industrial management, and spent four years as a Naval Officer, being assigned as an aircraft navigator.

This is Stan's third year as a section representative, and he has also served as Evening Marshall for Phi Alpha Delta. He is married and has two children, and spends most of his spare time with his family.

Krieger: Continues Teaching in a New Role

One might expect that an individual who has spent the last thirty years in military service, somewhat isolated from the changes occurring on campuses, his only contacts with students through the media or an occasional anti-war protester, would have a less than enthusiastic response to suddenly finding himself an instructor to more than 200 law students.

However, this is certainly not the case with Professor Marvin Krieger, who joined the faculty this year as an instructor in both Evidence and Constitutional Law. Professor Krieger's outlook is not only highly enthusiastic but also geared to the challenge which he feels is before him in this new endeavor.

Teaching itself is not a new experience for Professor Krieger, but the current situation is certainly different from his prior experience as an instructor at the Army's Judge Advocate General School. It was during this assignment that Professor Krieger became associated with Professor Kerig and also Professor Engfelt, the latter of whom was attending JAG School.

Professor Krieger was also acquainted with Professor George Hickman, who had the distinction of having

nominated Professor Krieger for admission before the Bar of the United States Supreme Court. It was by way of these prior acquaintances that he subsequently came to USD to teach.

Aside from his position as an instructor, Professor Krieger has had a varied legal career while a member of the Army's JAG Corps. He has tried, prosecuted, and sat as a judge on military courts. He has also processed parole and clemency

applications for prisoners of war tried by military tribunal in Germany following WW II. He acted as counsel for the United States on Okinawa a role similar to that of a district attorney, having jurisdiction over all Americans in the area, and also was named as Chief of the Lands Division.

Professor Krieger's last assignment reflects the stature he attained as a military lawyer; he was a senior judge on the Army Court of Military

Review (not to be confused with the Military Court of Appeals, a three judge civilian panel). It is interesting to note that as a judge he lends personal credence to the theory that a good legal brief goes a long way — and in some form may appear as an opinion.

The difference he finds most notable between students now and when he attended law school, is that those he now instructs exhibit a greater informality in dress, but also have what he believes is a more serious approach to the study of law and greater desire to learn. He particularly enjoys working with students and said that he hopes, in reacquiring his proficiency as a teacher, that the current class will not have to suffer along with him.

He is tentatively planning to teach a course in Military Law next semester if there are enough students who wish to participate. The course name may be slightly misleading since the course will be aimed at informing the civilian lawyer of the various avenues by which he can aid his military client. Certainly in this field Professor Krieger will have an excellent opportunity to apply his knowledge of military justice to the best possible advantage.



Professor Martin Krieger

Record Turnout for Attorney - Client Competition

by Dave Clegg

The third annual Attorney-Client Moot Court Competition attracted the largest number of participants of any Moot Court competition in USD history. Indeed, Prof. Louis Brown of USC, originator of the Mock Law Office Competition concept, told the Moot Court Board that this was "by far the largest student participation in an Attorney-Client Competition ever to be held in this country."

Fifty-two teams, or a total of 104 students, competed in the preliminary round held on October 6 at the County Courthouse. They were judged by 50 attorneys, most of whom are alumni of the USD School of Law.

The three highest scoring teams from the preliminary round were chosen to compete in the finals, held on October 11 in More Hall. The successful participants were the teams of William Fuhrman and Jerome Cohen, James Walsh and Christopher Savage, and Patricia Ellison and Jana Combs.

A distinguished panel composed of Timothy G. Evatt of Miller, Evatt and Jennings; James K. Smith of Gray, Cary, Ames and Fry, and the Honorable Richard J. Bein, Judge of the Municipal Court of El Cajon, judged the final rounds.

The team of Walsh and Savage was selected as winner of this year's competition. Patricia Ellison was selected as the best overall interviewer.

Twenty-five dollar Savings Bonds were awarded to each member of the winning team and to the best interviewer. In addition, each participant will be awarded a certificate of professional participation.

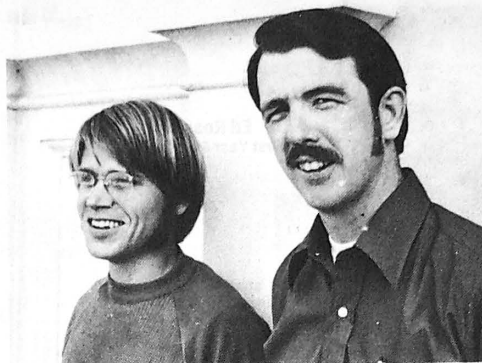
Of the 104 students who participated, a team of three

will be selected to represent USD at the Regional Mock Law Office Competition. The time and place for this competition are yet to be announced.

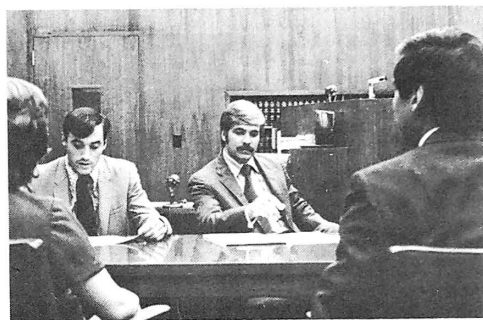
The Appellate Moot Court Board extends its heartfelt congratulations to the winners and to all those who participated in this year's competition.



PATRICIA ELLISON
Wins Interviewing Honors



CHRIS SAVAGE (left) and JAMES WALSH, winning team in Attorney-Client Competition, are shown here in photo taken the morning after their victory.



A record 52 teams took part in the year's Attorney-Client Moot Court Event. In photo above, the team of Marshall Hockett and Daryl Idler interview mock clients. At left, distinguished panel of judges look on, while Jac Crawford and Dan Grindle confer.

Law Review Advantages Told

'Reflects our Position as an Institution'

Like it or not, an educational institution is often judged by the quality of its publications.

This is because the only contact an outsider may have with the school comes from the written work produced by the students and faculty. And for USD Law School, the publication that people look to is the San Diego Law Review.

"The Review reflects our position as an institution," says Executive Editor Ray Theep, the number two man on the staff. Theep notes that putting out the Review involves a lot of work, but can be highly rewarding to the individuals who work on it.

A student graduating from this law school is sometimes at a severe disadvantage in the job market, where he must compete with graduates from Stanford and Boalt. "Law Review membership often overcomes this disadvantage,"

Theep says. "Most prospective employers look favorably on a student who has written for his school's law review."

But it also helps the student if the law review he is writing for has a good image in the legal community. In this area, the San Diego Law Review, now in its ninth year of publication, is beginning to achieve an international reputation.

The Review has published three symposium issues dealing with the growing field of Law of the Seas, all of which have been acclaimed by maritime scholars. Nace Ruvolo, the Review's Editor-in-Chief, represented the law school at the Sixth Annual Law of the Seas Conference held in Rhode Island last summer, where respected scholars extolled "Seas" articles appearing in the Review.

Ruvolo feels that expansion

must play an important part in the development of the Review. This year, he has presided over an increase in the frequency of publication, and the Review will now come out on a quarterly basis.

Also, the size of the staff is increasing. Last year, the Review began sponsoring an annual writing competition, open to all students, with high scorers being invited to join the staff. This supplements the traditional recruitment method of inviting students with the highest first-year grade averages to write for the Review.

After a student is invited to write, he must produce two publishable articles before he can be accorded full membership status.

Writers work under the guidance of assigned editors, and members of the editorial board are chosen from the

preceding year's writing staff. The students who fill the top posts are compensated for their time and achievement with full tuition scholarships.

Like any other activity that is wholly run by students, the Review is sometimes threatened by student apathy. Students who look upon the Law Review as too much work are sometimes discouraged from accepting invitations.

"Students should be made aware of the advantages of Law Review membership," Theep says. Besides allowing the student an opportunity to express himself and be creative, it may make a lot of difference when the student goes looking for his first job.

This year, Editor Ruvolo spoke to first-year students as part of the Orientation Program in order to acquaint them with the Review and the advantages of membership.

Faye Stender Tells Students Prison System is 'Dehumanizing'

by Don Pogoloff

Should the far-reaching advances made in criminal procedure before and during trial be followed by a dehumanizing jungle in our correctional institutions?

Faye Stender, Director of a San Francisco organization known as the Prison Law Study Group, asked this question during her recent appearance in More Hall.

A graduate of the University of Chicago Law School and previously active in draft counseling, Mrs. Stender began her Sept. 30 speech with her view of the day-to-day workings of the California prison system.

She conceded that the Director of the Department of Corrections has a liberal attitude toward penology, but alleged that advances are slow. She claimed this was due to the Director's allowance of more conservative thinking at lower echelons, and the polarization of opinion after the recent outbreaks of violence at San Quentin, Folsom, Chino, and Soledad.

"There are gross violations of human rights in our so-called correctional facilities," Mrs. Stender said. She told her audience that a guard who killed several prisoners in January, 1970 has yet to be disciplined or transferred, although even among prison officials, she claimed, widespread doubt has been voiced concerning the authority to use such ultimate means of keeping order.

Mrs. Stender said guards in other institutions openly pit "so-called Panther-Muslim" prisoners against "white Nazis," in efforts to eliminate more troublesome prisoners and vent prisoner frustration with the boredom of prison life. Homosexuality is rampant and ineffectually checked, she said.

She stated that on a more subtle level, there are greater and more frequent abuses. Sentences are couched in terms of "X years to life," and Mrs. Stender contended that such open ended sentences leave prisoners "at the mercy of the California Adult Authority (CAA) parole board," which can grant parole, release prisoners, or extend sentences indefinitely.

Prisoners appearing before the CAA are not allowed lawyers, she said, and the board, composed strictly of law enforcement personnel, is guided in each case solely by the prisoner's file. Mrs. Stender said that in this file, all minor infractions of prison rules are recorded as well as the judgments of the guards as to the prisoner's attitude and unwitnessed actions. These entries, she claimed, are rarely checked and the file is not open to anyone but prison officials and the CAA.

She told the audience that entries as damning as "I think this prisoner was involved in the murder of Prisoner X" have appeared in a file, and she said that because the CAA is overworked, with prisoner appearances of less than ten minutes every year, this type of undocumented entry may keep a prisoner jailed for years.

A second means of enforcing control, she said, is "the so-

called adjustment center," once called "solitary." Prisoners are housed in four by eight foot cells for various reasons, she said, and not always for violations of prison rules. Mrs. Stender claimed that out of 21,500 prisoners in California, 700 are receiving "adjustment center treatment," with reduced privileges. She said that the prisoners are limited to only one shower per week, and only ten minutes outside the cell per day. This routine, she said, is to insure docility.

Mrs. Stender also discussed "political prisoners." She said that for the prisoner with ideas of educating his fellows in political philosophy not favored by prison officials, release may be illusory. She said this prisoner may be confined in the Adjustment Center or framed by other prisoners for breaking rules, or even killed.

Mrs. Stender, who was active in the defense of George Jackson, the Soledad Brother recently killed at San Quentin, concluded her prepared

remarks with some recent developments. She said the "prisoner class," as she claimed prisoners are now identifying themselves, is beginning to organize, but not yet behind the walls. Associations of former prisoners are forming, with goals of minimum wages for prison work, more social services, rehabilitation, and freer access to prisoner files, she said.

Apathy in the legal community must also be combated, she said. She told students that education as to the situation in our prisons "is not enough." She noted that recent violence has hastened the issuance of new rules as to lawyer-prisoner contacts within prisons, and claimed that these rules have "all but eliminated" the potentially valuable role of the law student in interviewing prisoners and helping formulate prisoner appeals for redress of conditions. Of first priority, she said, must be the elimination of the indefinite sentence and the "political prisoner."

Woolsack Sample Resume'

(Ed. note — Each year at this time, scores of potential employers descend on USD to interview seniors. Always in demand, our graduating students find that a concise, well-prepared resume is often the key to obtaining the right kind of job. As a service, the Woolsack has prepared a sample resume that students may find helpful as a model.)

Seymour F. Auchincutz, Jr.
Hometown: Blowhard, New Jersey
Health: Excellent Draft Status: 4-F

EDUCATION:

USD Law School, J.D. hoped for, June 1972
Class Standing: Upper 7/8ths

ACTIVITIES:

Usher, Dick Tracy Seminar on Criminal Justice in America
Organizer, David Eisenhower—Howdy Doody look-alike contest.

Timekeeper, Intramural Spring Tort Bee

HONORS:

Second Prize, "Name-the-Snackbar" contest
Honorable Mention, Law Wives Halloween Apple-Bob and Jack O'Lantern-Carving Pentathlon

Only student to be grilled by Prof. Kelley three consecutive class periods

PUBLICATIONS:

"The Need for an Effective Pre-Trial Sentencing Law," American Legionnaire, June, 1970

"Legal Ethics: It's All Right to Stick Your Umbrella Up the Other Guy's Rear, But You Can't Open It," 7 Yucca Flats L. Rev. 416

EXPERIENCE:

One time in Yuma.

REFERENCES:

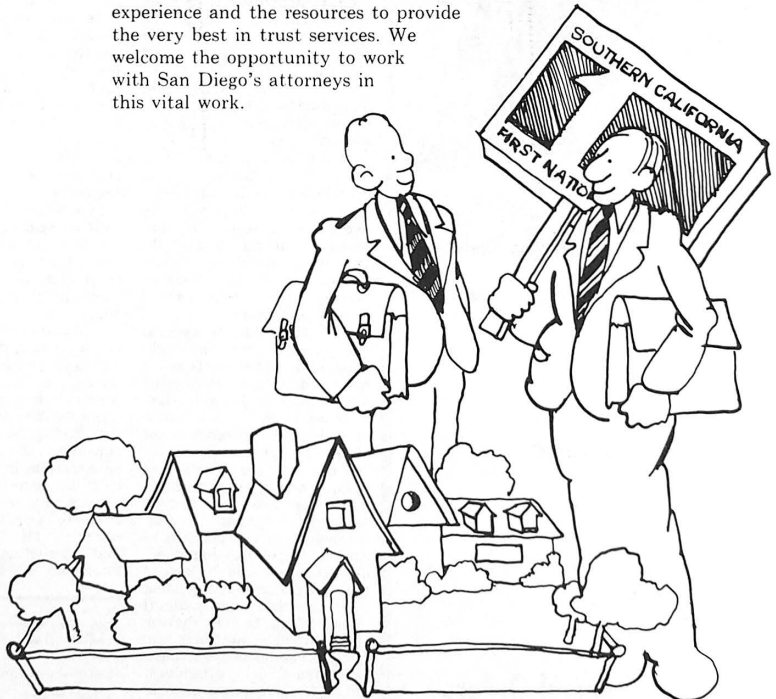
Mrs. Sadie Auchincutz, New York City
Judge J. Crater (retired), Buenos Aires

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Phi Alpha Delta

Of most current interest to PAD members is the fact that McCormick Chapter was ranked third out of 114 chapters in the National "Most Outstanding Chapter" Competition. Let's do it again — through cooperation and participation.

Mike McGinnis, originator of the PAD "Ride-along" program was awarded a \$500 scholarship for his service to the school and the fraternity. Forty such scholarships were awarded throughout the country.

In a PAD-sponsored program on October 22, Ed Butler and Pete Wilson, candidates for mayor of San Diego, will speak and answer questions in More Hall.

The Saturday morning

breakfast seminars will continue this year under the leadership of Jim Dobbin. Nathaniel Colley, a prominent figure in socio-legal matters, will speak in November. Later in the semester a bankruptcy seminar will be held. Those of you planning to go "belly-up" should wait until you've had the benefit of this seminar.

The official rush period for all law fraternities will be November 5-14. First-year students may attend rush functions, but cannot become members until their second semester. There are three active chapters at USD, each offering different amalgams of professional, social and service programs.

PAD's policy is to be of service to the law school, the

student, and the profession. We also offer social activities, and will have several of these during the rush period. First year students are invited, to talk to our members and find out what PAD is all about. Last year we were ranked third nationally out of 114 PAD chapters, reflecting our success in promoting the Fraternity goals. We would like you to find out why, and to associate yourself actively with PAD to assist in furthering our goals and to aid in your own professional growth. Our invitation is open to the distaff side of the student body, as well as the male contingent of the law school, so all students are welcome.

D. Klauer



T.G.I.F. — The legal fraternities recently took advantage of the early October warm weather, and staged some informal keg parties in the patio behind More Hall. In the photo above, students talk informally, while another keg (below) is wheeled out.



Section 502 of the California Welfare and Institutions Code states that the role of the juvenile court is to promote the spiritual, emotional, and physical welfare of the minor, promote strong family ties, and provide guidance for the youth, preferably in a family setting.

Alan Douglas, a graduate of Stanford Law School now in private practice in San Diego, says this is a fantasy in the everyday practice of the juvenile court bureaucracy. In an Oct. 12 speech at the law school, Mr. Douglas highlighted four areas of abuse in current practice.

He stated that procedural due process, but not substantive due process, is being practiced in the juvenile court system and in Juvenile Hall. Furthermore, he said, procedural due process is not always attained.

While authorities unequivocally claim their detainees are not fingerprinted, mugshot, or interrogated in the absence of counsel, they in fact commonly are, Douglas said. Beyond this, he said, such independent and essentially non-judicial agencies as the Probation Department sometimes aid juvenile authorities in identification of offenders, although their goals are, in theory, concerned with guidance and not crime detection.

Mr. Douglas scoffed at the notion that fourteen-year old children can knowledgeably waive their Miranda rights, but went on to state that time and again, the juvenile authorities would have one believe such a fantasy. This also holds for the equally unrealistic notion that the

PHI DELTA PHI

This past summer, Phi Delta Phi held their 40th General Convention in Toronto, Canada. According to Magister Joe Berg, Wigmore Inn's delegate to the convention, it was a big success with several major constitutional changes providing some heated debates. Most important among the newly adopted revisions was one which allows women law students membership into the fraternity. In addition, a committee was organized to continue the international growth of the fraternity by recommending future Inn sites during the biennium.

Of financial interest to the local Inns was the passage of a resolution to continue the \$100 scholarships for the Phi Delta Phi members with the highest first and second year grades. Also, in conjunction with the scholarships, each Inn will be given \$200 for the furtherance of their legal education activities.

Other benefit programs were discussed and the fraternity will continue to provide various insurance plans, student loans, and writing competitions for cash prizes, to mention just a few. Berg felt that this continued support of the local Inns clearly shows the interest of the national officers to keep Phi Delta Phi current with student needs.

The recognition of student involvement as an integral part of the legal educational process has once again been demonstrated by the members of Phi Delta Phi. Jim Spievak was recently named as a member of the National Moot Court Team. New installments to the Honor Court include Historian Alan Block as Justice and Paul Robinson as the Court's Preliminary Examiner. Block, also a member of the Moot Court Board, recently served as coordinator of the Attorney-Client competition held at the County Courthouse. Phi Delta Phi participants in the highly successful competition this year included Jim Spievak, Roy Selin, George Paluso, Michael Lasater, Mark Long, Roger Litman, James Shultz, Jack Doherty, and Gary Wells. Mike Lasater, having served as Class Representative last year for Section B, was unanimously selected Representative for Section A.

The Rush Chairman for this semester is Jim Shultz. According to Shultz, the formal fraternity rush period for this fall will be Nov. 5-14 and promises to be the most innovative rush in recent years. Phi Delta Phi hopes to see you at the functions.

John E. Lautemann

Students Told of Abuses By Juvenile Court Bureaucracy

youth "did not request counsel," he said.

Another area of abuse is publicity, he said. Mr. Douglas pointed out a glaring breach of the anonymity of juvenile proceedings when the San Diego Union published an article identifying a fourteen year old girl arrested in connection with a murder, and the charges were subsequently dropped.

On a more subtle level is the notion of sealing the records of youthful offenders. While the present statute allows sealing of records in the fifty-eight counties of California, this state has no power over records sent to the FBI, which has no sealing procedure over its files. As with many overburdened storehouses of personal information, many times the charge is recorded in the FBI files, but not the outcome. Such incomplete data remains in the files of the FBI in perpetuity for any agency with access to federal files to peruse, e.g., the military. Mr. Douglas added that the sealing of records in California is conscientiously

carried out by court authorities.

"Is a World War II barracks 100 miles from San Diego an adequate rehabilitation facility for boys?" Mr. Douglas posed this question and answered that little if any rehabilitation is being done there.

A note to aspiring lawyers is the plight of retained counsel at juvenile proceedings. The duty of the lawyer should always be to his client: here, the child. However, the parents normally retain the counsel and pay his bill. Apparently, hell hath no fury like a parent told that his child would, in the opinion of the lawyer, be better off in a foster home.

But it is the duty of the juvenile lawyer to uphold the spirit and letter of section 502, in spite of occasional laxity by the state bureaucracy, plus inject the newly established Constitutional guarantees afforded all citizens. Mr. Douglas views this as the mandatory if not always attainable goal of the juvenile lawyer.

Don Pogoloff

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